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**U.S. Department of Commerce  
Patent and Trademark Office**

**DECLARATION FOR  
UTILITY OR DESIGN  
PATENT APPLICATION**

Declaration Submitted with Initial Filing      OR       Declaration Submitted after Initial Filing

Attorney Docket Number	M 6212A FPG/NHG
First Named Inventor	Milstein, Norman
<i><b>COMPLETE IF KNOWN</b></i>	
Application Number	09/083,584
Filing Date	May 21, 1998
Group Art Unit	
Examiner Name	

**As a below named inventor, I hereby declare that:**

**My residence, post office address, and citizenship are as stated below next to my name.**

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

## STEROL ESTERS AS FOOD ADDITIVES

the specification of which

*(Title of the Invention)*

is attached hereto

OR

was filed on (MM/DD/YYYY) **05/21/1998** as United States Application Number or PCT International

**Application Number** **09/083,584** and was amended on **(MM/DD/YYYY)** **(if applicable).**

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37 Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT International application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached? YES NO

Additional foreign application numbers are listed on a supplemental priority sheet attached hereto:

I hereby claim the benefit under Title 35, United States Code §119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date (MM/DD/YYYY)	<input type="checkbox"/> Additional provisional application numbers are listed on a supplemental priority sheet attached hereto.
60/069,790	12/16/1997	

**Burden Hour Statement:** This form is estimated to take .4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231.

**Label No.** EV400233859US

**DECLARATION**

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I hereby claim the benefit under Title 35, United States Code §120 of any United States application(s), or §365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of Title 35, United States Code §112.1 acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application Number	PCT Parent Number	Parent Filing Date (MM/DD/YYYY)	Parent Patent Number (if applicable)
09/072,434		05/04/1998	

Additional U.S. or PCT international application numbers are listed on a supplemental priority sheet attached hereto.

As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Firm Name \_\_\_\_\_ Customer Number or label \_\_\_\_\_  
 OR  
 List Attorney(s) and/or agent(s) name and registration number below:

Name	Registration Number	Name	Registration Number
Ernest G. Szoke	22,135	John E. Drach	32,891
Wayne C. Jaeschke	21,062	Martin G. Meder	34,674
Real J. Grandmaison	25,981	Glenn E. J. Murphy	33,539
Norvell E. Wisdom, Jr.	30,510		

Additional attorney(s) and/or agent(s) named on a supplemental sheet attached hereto.

Please direct all correspondence to:  Customer Number or label \_\_\_\_\_ OR  Fill in correspondence address below

Name	John E. Drach		
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Address	140 Germantown Pike, Suite 150		
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Country	USA	Telephone	610-832-2215
		Fax	610-941-6067

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name of Sole or First Inventor:		<input type="checkbox"/> A petition has been filed for this unsigned			
Given Name	Norman	Middle Initial	Family Name Milstein Suffix e.g. Jr.		
Inventor's Signature	<i>Norman Milstein</i>		Date 7/8/98		
Residence: City	Montgomery	State OH	Country USA	Citizenship USA	
Post Office Address	9715 Zig Zag Road				
Post Office Address					
City	Montgomery	State OH	Zip 45242	Country USA	Applicant Authority
<input checked="" type="checkbox"/> Additional inventors are being named on supplemental sheet(s) attached hereto					

**DECLARATION****ADDITIONAL INVENTOR(S)**  
Supplemental Sheet

Name of Additional Joint Inventor, if any:  A petition has been filed for this unsigned inventor

Given Name	Manfred	Middle Initial		Family Name	Biermann	Suffix e.g. Jr.	
Inventor's Signature	<i>Manfred Biermann</i>				Date	7/8/98	

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Post Office Address

City Cincinnati State OH Zip 45242 Country USA Applicant Authority

Name of Additional Joint Inventor, if any:  A petition has been filed for this unsigned inventor

Given Name	Peter	Middle Initial		Family Name	Leidl	Suffix e.g. Jr.	
Inventor's Signature	<i>Peter Leidl</i>				Date	July 17 <sup>th</sup> 1998	

Residence: Illertissen State Country Germany Citizenship Germany

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City 89257 Illertissen State Zip Country Germany Applicant Authority

Name of Additional Joint Inventor, if any:  A petition has been filed for this unsigned inventor

Given Name	Rainer	Middle Initial		Family Name	von Kries	Suffix e.g. Jr.	
Inventor's Signature	<i>Rainer von Kries</i>				Date	7/17/98	

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Post Office Address Rilke Strasse 2

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Name of Additional Joint Inventor, if any:  A petition has been filed for this unsigned inventor

Given Name		Middle Initial		Family Name		Suffix e.g. Jr.	
Inventor's Signature					Date		

Residence: City State Country Citizenship

Post Office Address

Post Office Address

City State Zip Country Applicant Authority

Additional inventors are being named on supplemental sheet(s) attached hereto

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED  
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 (SIGNATURE)  
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PATENT  
Docket No. M 6212C-NHG/ST

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re: Application of Milstein, et al., a Divisional Under  
37 C.F.R. § 1.53(b) of:

Serial No. 10/126,284                      Examiner: Sabiha Naim Qazi  
Filed: 04/19/02                              Art Unit: 1616  
TITLE: STEROL ESTERS AS FOOD ADDITIVES

**APPOINTMENT OF ASSOCIATE ATTORNEY AND/OR AGENT**

Mail Stop Patent Application  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

I, John E. Drach (Reg. No. 32,891), hereby appoint **Steven J. Trzaska (Reg. No. 36,296)** and **Aaron R. Ettelman (Reg. No. 42,516)** as Associate Attorney and/or Agent as provided in 37 CFR 1.34 to transact all business with the U.S. Patent and Trademarks Office in connection with the above application and any continuation, division, and/or continuation-in-part thereof, and hereby ratify any and all acts done prior to such appointment in connection with the above application.

Address all correspondence to: Customer No. 23657

Direct all telephone calls to:

Aaron R. Ettelman  
215-628-1413

Respectfully submitted,



John E. Drach  
(Reg. No. 32,891)  
Attorney of Record

Dated: November 5, 2003